

REMARKS

Claims 1-16 are pending, with claims 14-16 having been withdrawn from consideration pursuant to a previous restriction requirement. Claim 13 is allowed.

Claim Rejections - 35 U.S.C. § 103:

Claim 1 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Sugawara et al. (U.S. Patent No. 5,527,581) in view of Bagrodia et al. (U.S. Patent No. 6,337,046).

Claims 2-7 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Sugawara et al./Bagrodia et al. as applied to claim 1 and further in view of Noba et al. (JP 410244889).

Claims 8-12 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Sugawara et al./Bagrodia et al. as applied to claim 1 and further in view of Petrelli (U.S. Patent No. 5,000,333) and Plant (U.S. Patent No. 5,649,587).

Applicant respectfully traverses the rejection of claim 1 as being obvious having regard to Sugawara et al. in view of Bagrodia et al. Applicant further traverses the rejection of claims 2-7 and 8-12 in view of Sugawara et al./Bagrodia et al. having further regard to Noba et al. and Petrelli and Plant, respectively.

Enclosed with this response is a declaration under 37 C.F.R. § 1.131 establishing invention of the subject matter of the rejected claims prior to the effective date of Bagrodia et al., namely Dec. 22, 1997. Therefore, the Bagrodia et al. reference is not prior art with respect to the present invention and must be withdrawn as a prior art reference.

Hence, Applicant requests that the rejection of claim 1 as being unpatentable over Sugawara et al. in view of Bagrodia et al. be withdrawn.

For the foregoing reason, Applicant submits that claim 1 is allowable, and withdrawal of the rejection is respectfully requested. Claims 2-7 and 8-12 ultimately depend from claim 1 and are likewise submitted to be allowable for at least the reason above. Withdrawal of the rejection is respectfully requested.

Applicant thanks the Examiner for allowing claim 13.

Applicant kindly requests reconsideration of this Application.

Instructions to charge a one (1) month extension fee against our deposit account are attached herewith.

It is felt that an interview would expedite prosecution of this Application, please do not hesitate to contact applicant's representative at the number below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

PILLSBURY WINTHROP LLP

A handwritten signature in black ink, appearing to read 'K. M. Fagin', with a large, stylized flourish extending from the end of the signature.

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